

REMARKS

The final Office Action mailed March 9, 2006 has been carefully reviewed. On the basis of the following amendments and remarks, reconsideration of the claim rejections and allowance of all of the presently pending claims are respectfully requested.

The Claims

Claims 1-16 are pending.

Claim 1 has been amended to correct a typographical error. Specifically, the word "a" has been deleted.

Claim 4 has been amended to overcome the antecedent basis issue identified by the Examiner.

The Invention

The present invention is directed to a vehicle clamp, which may be a motorcycle handlebar clamp. The clamp includes an elongated body having a pair of spaced fork leg receiving openings and an opening disposed generally between the fork leg receiving openings for receiving a steering shaft. A pair of spaced handlebar mounts are disposed on opposite sides of the steering shaft opening with each handlebar mount being disposed between a fork receiving opening and the steering shaft opening. A vibration dampening insert is *interposed between the body and the handlebar mounts*, in order to dampen engine generated vibrations as well as road created vibrations, and to minimize transmission of the same to the handlebars. The vibration dampening insert preferably has a plurality of recesses, and a lower portion of the base of the handlebar mounts has a plurality of alternating lands and grooves, with the lands being receivable within the grooves in the dampening insert.

The Drawings

Applicants note with appreciation that the drawings submitted with their December 21, 2005 amendment have been accepted.

Allowable Subject Matter

Claim 4 has been amended in the manner that the Examiner has indicated would result in the allowability of Claims 4-6 and 16.

The Examiner has indicated that Applicants' arguments in their December 21, 2005 amendment regarding Claims 8 and 15, were persuasive and have overcome the previous rejections of those claims. Claims 8 and 15 are, therefore, also allowable. Applicants respectfully submit that Claims 8 and 15 depend, directly or indirectly, from Claim 1 which is allowable for the reasons set forth hereinbelow. If, however, the Examiner ultimately

continues to find Claim 1 unpatentable, Applicants would be pleased to place Claims 8 and 15 into allowable independent form, upon request by the Examiner.

Claims 1, 3, 7, and 14: Rejected Under 35 U.S.C. 102(b)

Claims 1, 3, 7, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,802,519 (Morgan et al.).

Morgan et al. does not disclose, teach, or suggest a dampening insert “*interposed between said body 72 and said handlebar mounts 110, 112*” (emphasis added) as recited in Claim 1. Therefore, the reference fails to disclose all of the elements of Claim 1, and Claim 1 is allowable.

The foregoing distinction is abundantly clear upon comparison of Figure 5 of the invention to Figure 1 of Morgan et al. True and correct copies of both of these figures are provided immediately below for convenience of reference by the Examiner.

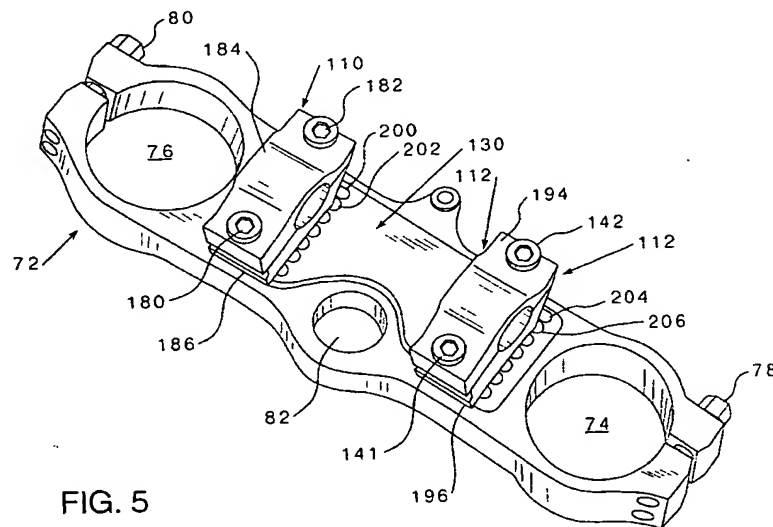


FIG. 5

Applicants' Figure 5

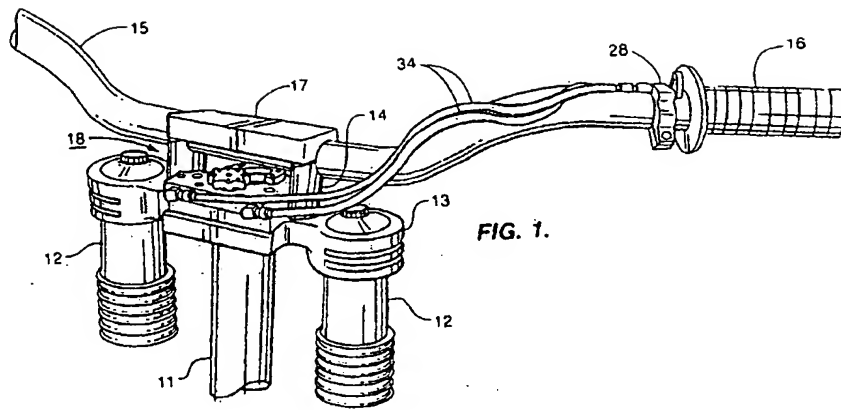


Figure 1 of Morgan et al.

As shown in Figure 5, and as recited in Claim 1 of the invention, the dampening insert 30 is interposed *between* the body 72 of the clamp and the handlebar mounts 110, 112. In other words, the dampening insert is itself clamped between the body 72 of the clamp and each of the bases 186, 196 of the handlebar mounts 110, 112, respectively, as shown.

The Examiner has mistakenly interpreted the hydraulic damper 18 of Morgan et al. as being similarly situated. As shown in Figure 1 of Morgan et al., reproduced above, it clearly is not. Specifically, the hydraulic damper 18 is not between each of the handlebar risers 14 and the body 13, as recited in Claim 1. Rather, the hydraulic damper 18 is disposed laterally intermediate the two handlebar risers 14. It is on top of body 13, not vertically between each one of the handlebar risers 14 and the body 13, as in the invention.

This view is further confirmed by the disclosed function of the Morgan et al. hydraulic damper 18 which, unlike the dampening insert of the invention, is designed to dampen torsional vibrations of the steering shaft 11 and must, therefore, be disposed centrally on the clamp body 13 at the location of the steering shaft 11. Conversely, the dampening insert 130 of the invention is structured to dampen *vertical* vibrations transmitted through the handlebar mounts 110, 112 to the handlebar and is, therefore, “interposed between said body and said handlebar mounts,” as shown and claimed.

In view of the foregoing, Claim 1 is allowable.

Claims 3, 7, and 14 depend from Claim 1 and, through such dependency, are also allowable.

Claims 1, 3, 7, and 14 are, therefore, patentable over Morgan et al. Reconsideration and allowance are requested.

Claims 2 and 10: Rejected Under 35 U.S.C. 103(a)

Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al., and further in view of U.S. Patent No. 5,921,145 (Muser).

Claims 2 and 10 depend from allowable Claim 1 and, through such dependency, are also patentable.

Additionally, Muser, which discloses a rubber bushing assembly for a bicycle handlebar adds nothing to Morgan et al. to render the instant invention obvious. Moreover, to combine the cylindrical donut-shaped dampener 80 of Muser with Morgan et al. would require at least partial destruction of the individual teachings of the references in a manner not taught or suggested by the prior art. Specifically, the cylindrical donut-shaped rubber bushing of Muser has no place in the complex hydraulic damper assembly 18 of Morgan et al. Furthermore, even assuming for the sake of argument, that the references could somehow be combined as suggested, such combination would fail to teach or suggest the claimed invention.

Accordingly, neither Muser nor Morgan et al., individually or in combination, teaches or suggests the recitals of Claims 2 and 10.

Claim 11: Rejected Under 35 U.S.C. 103(a)

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al., and further in view of U.S. Patent No. 6,035,741 (Krizman, Jr.).

Claim 11 depends from allowable Claim 1 and, through such dependency, is also patentable.

Claims 12 and 13: Rejected Under 35 U.S.C. 103(a)

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al.

Claims 12 and 13 depend directly or indirectly from allowable independent Claim 1 and, through such dependency, are also patentable. Claim 13 is further patentable for the following reasons.

To modify the steering shaft opening of Morgan et al. as suggested by the Examiner would require at least partial destruction of the teachings of the reference. Specifically, the hydraulic chamber 19 (Figure 2; column 2, line 64 of Morgan et al.) could not properly function if the suggested combination were made. More specifically, the hydraulic chamber 19 is structured to receive hydraulic fluid (column 2, lines 65-66) and is, therefore, reliant upon fluid pressure for the dampener 18 to operate properly. The steering shaft opening could not, therefore, have an opening as suggest by the Examiner because such opening

would result in hydraulic fluid escaping, thereby resulting in an undesirable drop in fluid pressure and loss of dampening capability. Accordingly, the recital of Claim 13 would not have been obvious in view of the reference.

In view of the foregoing, reconsideration and allowance of all of the pending claims, Claims 1-16, is requested.

MISCELLANEOUS

The prior art made of record, but not relied upon, has been reviewed, but is not believed to be more relevant than the applied art.

SUMMARY AND CONCLUSIONS

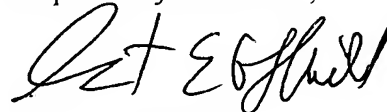
Claim 4 has been hereby rewritten in the manner stated by the Examiner to be allowable. Accordingly, Claim 4 and Claims 5-6 and 16, which depend therefrom, are allowable.

Claims 8 and 15 are allowable.

It is respectfully submitted for the foregoing reasons that independent Claim 1 and dependent Claims 2, 3, 7, 9-14, and 16, which depend directly or indirectly from Claim 1, are also patentably distinct from the applied references, whether they are considered individually or in combination.

Accordingly, it is submitted that the application is now in proper form for issuance of a Notice of Allowance. Such action is respectfully requested at an early date.

Respectfully submitted,



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